

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

IVANETE QING DELGADO

PLAINTIFF

v.

No. 4:07CV00160 JLH

MICHAEL CHERTOFF, Secretary, UNITED
STATES DEPARTMENT OF HOMELAND SECURITY;
EMILIO GONZALEZ, Director, UNITED STATES
CITIZENSHIP AND IMMIGRATION SERVICES;
DAVID ANGOTTI, Officer-In-Charge, USCIS
MEMPHIS SUB OFFICE; and ROBERT S.
MUELLER III, Director, FEDERAL BUREAU
OF INVESTIGATION

DEFENDANTS

ORDER

Ivanete Qing Delgado filed her complaint against Michael Chertoff, Secretary, United States Department of Homeland Security; Emilio Gonzalez, Director, United States Citizenship and Immigration Services; David Angotti, Officer-in-Charge, USCIS Memphis Sub Office; and Robert S. Mueller III, Director, Federal Bureau of Investigation, on March 2, 2007. It appears that she may have served summons and complaint on the four persons named as defendants, but Rule 4(i) of the Federal Rules of Civil Procedure provides that she must also deliver a copy of the summons and complaint to the United States Attorney for the district in which the action is brought, and she must send a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, District of Columbia. The record does not reflect that she has done so.

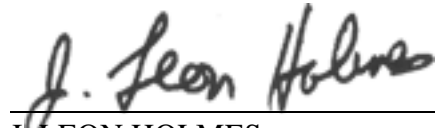
Rule 4(m) provides, in pertinent part:

If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if

the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.

More than 120 days have elapsed since the filing of the complaint. The plaintiff has not effected service in the manner required by Rule 4(i). Therefore, the Court hereby gives notice that this action will be dismissed unless within 30 days of entry of this order the plaintiff shows good cause why the action should not be dismissed.

IT IS SO ORDERED this 27th day of July, 2007.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE